in light of the following remarks is respectfully requested.

Rejection of Claims Under 35 U.S.C. §102

Claims 1-5 stand rejected under 35 U.S.C. §102(b) as being anticipated by Curreen (GB 2,124,864). Curreen '864 is generally directed to a fish bait package for storing fish bait therein while the entire package is used on a fishing hook. The Examiner asserts that the paper material of the fish bait package of Curreen '864 inherently provides the same functionality as the presently claimed porous pouch, and specifically that the pores allow microorganisms to pass therethrough at a rate of no more than about 0.5 g/day/cm^2 when the pouch is exposed to a stationary fluid environment. The Examiner's assertion is based upon the disclosure of Curreen '864 of a paper material having a grading of between 21 and 27.5 g/m^2. However, applicant respectfully submits that the weight of the paper material utilized is not necessarily an indicator of the size and configuration of pores associated therewith. In particular, and as described on page 6, lines 6-25 of the present application, the porous material utilized in the present invention is a relatively long fiber paper material that desirably meshes in such a fashion so as to provide a pore configuration suitable for

allowing a controlled release rate of microorganisms therethrough. Curreen '864 contains no specific disclosure of the pore size and configuration of the container material utilized, and therefore it is improper for the Examiner to conclude that the container material of Curreen '864 provides the flow-through functionality of the claimed pouch material merely due to the paper weight density of Curreen '864.

In addition, nowhere does Curreen '864 teach or suggest a permeation rate for microorganisms passing through the package of no more than about 0.5 g/day/cm^2 when the container is exposed to a stationary fluid environment, as is presently claimed. Curreen '864, in fact, teaches away from the claimed permeation rate at column 2, lines 87-93, wherein the bait is contained at all times within the package or bag. Therefore, the bag of Curreen '864 is specifically configured so as to completely retain the bait material therewithin. Accordingly, one of ordinary skill in the art would not anticipate the use of the material in the present invention which provides a specific permeation rate of microorganisms therethrough, from the disclosure of Curreen '864. Applicant therefore submits that the material of Curreen '864 does not meet the instant claim limitations, specifically in that the material of Curreen

'864 actually prevents material from passing through the walls thereof, while the presently claimed porous pouch allows microorganisms to pass therethrough at a rate of no more than about 0.5 g/day/cm^2 when the pouch is exposed to a stationary fluid environment. The claim rejections based upon Curreen '864 should accordingly be withdrawn.

Rejection of Claims Under 35 U.S.C. §103

Claims 7-10 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Curreen '864. As described above, Curreen '864 fails to teach or suggest a container having pores which are specifically sized and configured to allow substances to contained therewith to pass through the pores at a controlled rate of no more than about 0.5 g/day/cm^2 when exposed to a stationary fluid environment, as is presently claimed. Accordingly, Applicant respectfully submits that the claim rejections based upon Curreen '864 should accordingly be withdrawn.

Claims 11-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Curreen '864 in view of Sasaki et al. (U.S. 4,630,634). The Sasaki et al. '634 patent fails to cure the defects of Curreen '864 as described above. In particular, nowhere do Sasaki et al. '634 teach or suggest a porous container having pores which are specifically sized and configured to allow substances disposed within

the container to pass through the pores at a controlled rate, which rate is no more than about 0.5 g/day/cm^2 when the container is exposed to a stationary fluid environment. As such, neither Curreen '864 nor Sasaki et al. '634, whether taken alone or in combination, teach or suggest the invention as presently claimed. The claim rejections based thereon should accordingly be withdrawn.

For the foregoing reasons, the claims as currently pending are believed to be unobvious and patentable over the cited prior art, whether taken alone or in combination. Applicant therefore submits that the pending claims are allowable on the merits. An early allowance is respectfully solicited.

Respectfully submitted,

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